

GARCIA, SCHNAYERSON & THOMPSON
ATTORNEYS AT LAW
225 W. Winton Ave., Suite 208
Hayward, California 94544
Telephone: (510) 887-7445
Counsel for
MANUEL CABRERRA

FILED

JAN -8 PM 3:56

U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

1. \$75,511 IN UNITED STATES
CURRENCY

Defendant.

MANUEL CABRERRA,

Claimant.

Case no. CV 07-6353 BZ

ANSWER TO COMPLAINT
FOR FORFEITURE

ANSWER TO COMPLAINT FOR FORFEITURE

Comes now Claimant and respectfully alleges:

I

Claimant denies the allegation set forth in Paragraph 1.

II

Claimant admits the allegation set forth in Paragraph 2.

III

Claimant admits the allegation set forth in Paragraph 3, insofar as it asserts that defendant property was seized by law enforcement officials and that the United States of America is the Plaintiff. Claimant denies any implied allegation that the property is subject to forfeiture.

IV

Claimant denies the allegations set forth in Paragraph 4.

V

Claimant denies the allegation set forth in Paragraph 5.

VI

Claimant denies the allegations set forth in Paragraph 6.

VII

Claimant denies the allegations set forth in Paragraph 7.

VIII

Claimant denies the allegations set forth in Paragraph 8.

IX.

Claimant denies the allegations set forth in Paragraph 9.

X.

Claimant denies the allegations set forth in Paragraph 10.

1 XI.

2 Claimant denies the allegations set forth in Paragraph 11.

3 XII.

4
5 Claimant denies the allegations set forth in Paragraph 12.

6 XIII.

7 Claimant denies the allegations set forth in Paragraph 13.

8 XIV.

9
10 Claimant denies the allegations set forth in Paragraph 14.

11 XV.

12 Claimant denies the allegations set forth in Paragraph 15.

13 XVI.

14
15 Claimant denies the allegations set forth in Paragraph 16.

16 XVII.

17 Claimant denies the allegations set forth in Paragraph 17.

18 XVIII

19
20 Claimant admits the statement of law set forth in Paragraph 18, but denies its
21 applicability to defendant property.

22 XIX

23
24 Claimant denies the allegations set forth in paragraph 19.

XX

By way of defense Claimant respectfully alleges:

That defendant property is not subject to forfeiture and was does not represent moneys furnished or intended to be furnished to another person in exchange for a controlled substance, constituting proceeds from such an exchange, and was used or intended to be used to facilitate an offence in violation of Title 21, Unites States Code section 841(a) or any other section of the United States Code.

Plaintiff's possession and control of respondent property was accomplished in violation of the laws of the United States and the State of California.

WHEREFORE, Defendant respectfully prays that the above named property not be forfeited to the United States of America;

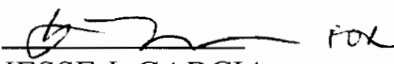
That the defendant property be returned to the Claimant forthwith;

That the Court award Claimant reasonable costs and attorney fees;

That the Court grant such other and further relief that the court may deem just and proper.

Dated: 1-7-08

Respectfully submitted,


JESSE J. GARCIA
Attorney for Claimant
MANUEL CABRERRA

1 GARCIA, SCHNAYERSON & THOMPSON
2 ATTORNEYS AT LAW
3 225 West Winton Avenue, Suite 208
4 Hayward, California 94544
5 Telephone: (510) 887-7445

6 UNITED STATES DISTRICT COURT
7
8 NORTHERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA,)
10) CV 07-6353 BZ
11 Plaintiff,)
12)
13 vs.)
14)
15 1. \$75,511 IN UNITED STATES) CERTIFICATE OF SERVICE
16 CURRENCY)
17)
18)
19 Defendants.)
20)
21)
22)
23)
24)
25)
26)
27)
28)
MANUEL CABRERRA,
Claimant.

The undersigned hereby certifies that a copy of the
foregoing:

ANSWER TO COMPLAINT

was hand delivered on January 8, 2008, to the attorney for the plaintiff as
follows:

Stephanie Hinds, Assistant United States Attorney
450 Golden Gate Ave
San Francisco, Ca. 94102

Dated: 1/8/07


ALEXIS THOMPSON